

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No.: 05-720-US2

PATENT

In re Application of: Kouvetsakis, et al.) Examiner: PATEL, REEMA
)
Application No. 10/559,981) Art Unit: 2812
)
Filed: September 5, 2006) Confirmation No.: 6588
)
For: GeSn Alloys and Ordered Phases with)
Direct Tunable Bandgaps Grown Directly on)
Silicon)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

We, John Kouvetakis, residing at 7032 E. Indigo, Mesa, Arizona;
Matthew Bauer, residing at 1505 NE Orenco Station Parkway, Hillsboro, Oregon;
Jose Menendez, residing at 309 E. 14th Street, Tempe, Arizona,
and
John Tolle, residing at 1489 S. Dove Street, Gilbert, Arizona,
do declare and say:

1. We are inventors ("Applicant") of the subject matter claimed in the above-identified application ("the application").

2. Cited against the claims of the application, under 35 U.S.C. § 102(a), are the disclosures of two reference articles:

a. Bauer, Tolle, Bungay, Chizmeshya, Smith, Menendez, and Kouvetakis, *Solid State Communications* **2003**, *127*, 355 - 359. ('Bauer I'); and
 b. Bauer, Taraci, Tolle, Chizmeshya, Zollner, Smith, Menendez, Hu, and Kouvetakis *Appl. Phys. Lett.* **2002**, *81*, 2992 - 2994. ('Bauer II').

3. Applicant unequivocally declares that they are the sole inventor of the cited disclosure in the above identified references, *i.e.*, the above identified references are Applicant's own work.

4. Applicant unequivocally declares that all other co-authors of the above identified references were merely working under Applicant's direction.

5. We hereby further declare that all statements made herein by our own knowledge are true and that all statements made on information and belief are believed to be true and further that we make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and of any patent issuing thereon.

Respectfully,

Date: 09/26/07

By: J. Kouvelakis
John Kouvetakis

Date: _____

By: _____
Matthew Bauer

Date: _____

By: _____
Jose Menendez

Date: 9/24/07

By: J. Tolle
John Tolle

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Respectfully,

Date: _____

By: _____

John Kouvetakis

Date: 10/3/07

By: 

Matthew Bauer

Date: _____

By: _____

Jose Menendez

Date: _____

By: _____

John Tolle

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By: _____

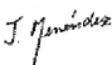
John Kouvetakis

Date: _____

By: _____

Date: _____

By: _____



Jose Menendez

Date: _____

By: _____

John Tolle